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UNCLAS HALIFAX 000372

SIPDIS

SENSITIVE

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TAGS: [ETRD](#) [EFIS](#) [EAGR](#) [TBIO](#) [PREL](#) [CA](#) [US](#) [FDA](#)

SUBJECT: FDA BIOTERROR RULES: POSITIVE LOCAL REACTION

REF: HALIFAX 0110 AND PREVIOUS

1. (U) Government and fishing industry officials in Atlantic Canada have told us that they are generally pleased with the FDA's anti-bioterrorism regulations, principally those concerning the prior notice time for perishable shipments. Our contacts were deeply concerned that the 24-hour notice time that had been originally proposed would have severely hampered the cross border seafood trade. Exporters and New England fish buyers processors had mounted an intense lobbying effort that ultimately saw the regulations amended to provide for just two hours notice.

2. (SBU) New Brunswick's Director of Trade, Harry Quinlan, told us on November 6 that this amendment was a clear indication that the US government officials had made a substantial effort to make the regulations more user-friendly. Moreover, he said he and his provincial colleagues and counterparts were very pleased that they had the opportunity to make comments on the proposed rules before they were finalized.

3. (U) One Nova Scotia fish exporter, Denny Morrow of the Nova Scotia Fish Packers Association, echoed Quinlan's comments and also told us that he was very appreciative of the efforts by high level officials including Ambassador Paul Cellucci. Morrow told us he was very pleased by the Ambassador's personal attention to this issue which he saw as very effective in bringing about the notification amendments.

4. (U) Morrow repeated his comments in a local press interview with the "Sou'wester" a bi-weekly fishing industry newspaper published in Yarmouth Nova Scotia. In the article headlined, "Anti-Terrorism Bill - Amendments a Boon to Seafood Industry", Morrow was quoted as saying, "US Ambassador to Canada Paul Cellucci also deserves a special note of thanks for making sure that the concerns of the seafood industry in Atlantic Canada were heard in Washington." (A copy of the press article is being faxed to Embassy Ottawa and WHA/CAN.)

5. (SBU) Morrow and Quinlan, along with Quinlan's Nova Scotia counterpart, Greg Bent, have mentioned that they see some minor problems with the regulations, such as the added expense of very small, family-run fish exporting businesses. Bent's primary concern is his belief that there will be no uniformity with which border enforcement officials will apply the new regulations. Nonetheless, he predicted that with the anticipated training, personnel would eventually be "singing from the same song book." Morrow also believes that there will be sufficient leniency during the start-up phase that exporters would not likely see any measurable impact on their operations.

6. (SBU) COMMENT: Overall, there is a general sense of relief that the region was able to emerge from this process with all of their concerns heard, on the notice time as well as and other issues. With that, New Brunswick's Quinlan best summed up the reaction here with his comment that clearly what has emerged is a reasonable way of moving food produce and fish across the U.S.-Canada border. END COMMENT

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